GOVERNMENT OF INDIA
CORPORATE AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1078
ANSWERED ON:04.12.2015
Internal Complaints Committee
Tharoor Dr. Shashi

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government has received a request from the Ministry of Women and Child Development to make the disclosure of the constitution of an Internal Complaints Committee (ICC) mandatory under the Companies Act, 2013;
(b) if so, whether the Government proposes to amend the Companies Act, 2013 and make provisions to mandate the disclosure of the constitution of such ICC;
(c) if not, the reasons therefor;
(d) whether the Government has any data on the number of Public Sector Undertakings (PSUs) including Private companies which have or have not constituted an ICC, if so, the details thereof; and
(e) whether the Government proposes to take any corrective measures, including punitive damages against the PSUs which have not yet established an ICC, if so, the details thereof and if not, the reasons therefor?

Answer

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY)
???????? ????? ?????? (???? ???? ?????)

(a) to (c):- A request was received from the Ministry of Women and Child Development to consider mandatory disclosure of Constitution of the Internal Complaint Committee, under Section 134 of the Companies Act, 2013, in the Directors Report of a company. Such request does not entail any amendment in the Companies Act, 2013. However, in view of the fact that the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act,
Contdâ€¦P-2/

2013 exclusively provides for all aspects with respect to matters of sexual harassments, including for disclosure on compliances, a separate requirement under the Companies Act, 2013 was not considered necessary. A subsequent response has also been received from the Ministry of Women and Child Development.
(d) & (e):- Department of Public Enterprises (DPE) has vide its OM dated 19th August, 2014 requested all CPSEs to create a WIPS Cell (Women in Public Sector Cell) in CPSEs. However, as CPSEs are under the direct administrative control of respective Ministries/Departments, no centralized information is being mainatined in DPE in respect of number of CPSEs which have consituted Internal Complaint Committee (ICC). Implementation of the DPE guidelines or any corrective measures taken in regard to Internal Complaint Committee (ICC)/WIPS Cell in respect of CPSEs rests with administrative Ministry/Department of respective CPSE.

****